

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOHN EDWARD KUPLEN,)
)
Petitioner,)
)
v.) 1:14CV109
)
FRANK PERRY,)
)
Respondent.)

ORDER

On April 24, 2014, the United States Magistrate Judge's Memorandum Opinion, Order and Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 6 and 7.) Petitioner timely filed objections (Doc. 8) to the Recommendation.

This court has appropriately reviewed the portions of the Recommendation to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that Petitioner's petition for a writ of habeas corpus under 28 U.S.C. § 2254 (Doc. 2) is **DENIED** and that this action is dismissed. A Judgment dismissing this action will be entered contemporaneously with this Order.

Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This the 28th day of May, 2014.

William L. Osten, Jr.

United States District Judge